

PATENT MAINTENANCE
DIVISION

2006 APR 18 PM 1:12

US PATENT & TRADEMARK
OFFICE

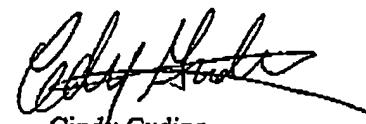
April 18, 2006

Reg. Acct. 022666

To: Refund Dept.

On our January deposit account statement there is a charge that does not belong to account number 022666. Therefore we are requesting refund in the amount of \$1,500. If you have any questions please contact me at 310-207-3800. Thank you

09,990,419
09,940,419



Cindy Gudino



7/28/05
DAB
ZGW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Timothy BATEMAN et al.

Serial No. 09/940,419

Art Unit: 3743

Filed: August 29, 2001

Examiner: Mitchell, Teena Kay

For: PATIENT VENTILATION
DEVICES

Atty Docket: 0100/0134

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 C.F.R. § 1.137(a);
or, in the alternative,
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Applicant petitions for the revival of the above-identified application.
2. The instant application became abandoned on July 26, 2005, subsequent to the six month statutory period to respond to the office action dated January 26, 2005. An office communication from the PTO dated September 21, 2005 notes that the above-identified application became abandoned due to applicant's failure to timely file a proper reply to the office action of January 26, 2005, as no reply has been received.

3. A Rule 116 amendment, copy attached herewith, in fact was filed on April 11, 2005 in response to the January 26, 2005 Office Action. The responsive amendment was filed by fax to the official fax server number of the U.S. PTO for receiving responses. A copy of the "Auto-Reply Facsimile Transmission" evidencing that the

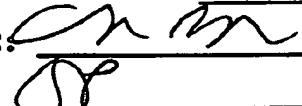
09/29/2005 SZENDIE1 00000095 500501 09940419

01 FC:1453 1500.00 DA

Adjustment Date: 05/19/2006 SDIRETA1
01/04/2006 CKHLOK 00000005 022666 09940419
01 FC:1453 1500.00 CR

Adjustment date: 12/22/2005 SZENDIE1 00000095 500501 09940419
09/29/2005 SZENDIE1 00000005 022666 09940419
01 FC:1453 1500.00 CR
12/22/2005 AXELLEY 000000022 500501 09940419
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UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

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INTELLECTUAL PROPERTY LAW

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| Holder: BLACKLEY SOKOLOFF TAYLOR & KAHAN LLP | | | | | |

Mon
January 2006

| Date Posted | Seq. No. | Description | Docket No. | Fee Code | Amount |
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| 01-03-2006 | 2 | 10272060 | 8818P3575 | 1202 | 300.00 |
| 01-03-2006 | 81 | 11260005 | | 9204 | -500.00 |
| 01-04-2006 | 13 | 09940419 | 0100/0134 | 1453 | 1,500.00 |
| 01-04-2006 | 148 | 11315834 | 42P22693 | 8021 | 40.00 |
| 01-04-2006 | 104 | 09746487 | 42390.P8934 | 1253 | 1,020.00 |
| 01-04-2006 | 8 | 11240754 | 42P22340 | 8021 | 40.00 |
| 01-04-2006 | 231 | 11273953 | 6639P104 | 8021 | 40.00 |
| 01-04-2006 | 282 | 78400129 | 008880.T008USA14 | 7004 | 150.00 |
| 01-04-2006 | 348 | 78400137 | 008880.T008USA18 | 7004 | 150.00 |
| 01-04-2006 | 590 | 78784278 | 008880.T009 | 7001 | 325.00 |
| 01-04-2006 | 605 | 78784287 | 008880.T010 | 7001 | 325.00 |
| 01-04-2006 | 736 | 2318542 | 4138.T038USA17B | 7205 | 100.00 |

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